JAN 2 6 2004 55

Docket Do. SP-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Benjamin Wiegand et. al.

Serial No. : 10/017,180

Art Unit: 1616

Filed

December 7, 2001

Examiner: Konata M. George

For

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01/22/04 (Date of Deposit)

Erin M. Harriman
(Name of applicant, assignee, or/Registered Representative)

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01/22/04

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on June 4, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with \$1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

☐ In accordance with \$1.129(a), this Information

Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with \$1.97(e)

(attached); or

☐ Please charge Deposit Account No. 10
0750/ / the fee of \$180.00 as set forth in \$1.17(p).

In accordance with \$1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in \$1.97(b) above but before the mailing date of either a Final
Action under \$1.113 or a Notice of Allowance under \$1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

		Statement in Accordance with §1.97(e)
		(attached); or
	$\boxtimes$	Please charge Deposit Account No. 10-0750/JBP-
		571/EMH the fee of $$180.00$ as set forth in
		§1.17(p).
		ccordance with \$1.97(d), this Information
		ement is being filed after the mailing date of
either a E	Final	Action under §1.113 or a Notice of Allowance
under \$1.	.311 k	out before the payment of the Issue Fee.
Applicant	(s) he	reby petition(s) for consideration of this
Informatio	on Dis	sclosure Statement. Included are: Statement in
Accordance	e with	1 \$1.97(e) as set forth below and the fee of
\$180.00 as	s set	forth in \$1.17(p).
5-7		
	_	es of each of the references listed on the
attached I	Form E	PTO-1449 are enclosed herewith.
	Copie	es of references listed on the attached Form PTO-
ш 1449 are e	_	ed herewith EXCEPT THAT:
	П	In view of the voluminous nature of references
		[list as appropriate], and the likelihood that
		these references are available to the Examiner,
		copies are not enclosed herewith.
		copies are not encrosed nerewith.
		If any of the foregoing publications are not
	<b>L</b>	available to the Examiner, Applicant will
		endeavor to supply copies at the Examiner's
		request.
		requesc.
	Conid	es of only foreign patent documents and non-
Ll natent lit	_	are are enclosed in accordance with 37 CFR 1.98
-		U.S. patents and each U.S. patent application
•		sted on the attached Form PTO-1449 are not
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enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).

☐ The relevance of those listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP-571/EMH. This form is submitted in triplicate.

Respectfully submitted,

Erin M. Harriman Reg. No. 40,410

Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-3619
DATED: ()//2 7 /01/



### SUBMISSION UNDER MPEP 609 D

Application Number	10/017,180
Filing Dat	December 7, 2001
First Named Inventor	Wiegand
Group Art Unit	1616
Examiner Name	Konata M. George
Attorney Docket Number	JBP-571

Page 1 of 1

		1 age 1 of 1	TENT DOCUMENTS			
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			U.S. Patent Document			
Examiner Initials	Cite	Name of Patentee or Applicant of Cited Document	Number	Pages, Columns, Lines, where relevant passages or relevant figures appear		
		Shoji et. al.	2003/005049	A1		
		Johnson & Johnson Consumer Companies, Inc.	10/378,384 (Atty. Docket JBP-5003)			
		Johnson & Johnson Consumer Companies, Inc.	10/357648 (Attty. Docket JBP-578)			
-		Johnson & Johnson Consumer Companies, Inc.	10/353525 (Atty. Docket JBP-579)			
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FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Foreign Patent Document where relevant passages Name of Patentee or or relevant figures Examiner Cite Applicant of Cited Document appear Number<sup>4</sup> KindCode<sup>5</sup> Office<sup>3</sup> ΕP English-Language 1198995 Abstract Attached Laboratories Robert Schwartz wo English-Language Abstract Attached Corresponding English Equivalent is 01/98442 20030054049 Shiseido Co. Ltd. A1 wo Publication of 10/012,627 (JBP-Johnson & Johnson Consumer 02/49629 570) Companies, Inc. WO Publication of Johnson & Johnson Consumer 10/012,626 (JBP-02/62198 A2 575) Companies, Inc. wo Quest International B.V. 02/49600 A1 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), Examiner Cite volume-issue number(s), publisher, city and/or country where published No.1 Initials\* "Biology of Beauty" article (pre10/1999) "Aromachology, the Science Behind the Fragrance" article (pre 10/99) Tube for Origins Diaper Service™ Balm (available before October 1999)
Tube for Origins Love Me Tender™ lotion (available before October 1999) Tube for Origins Bare Hugs™ cream (available before October 1999) Bottle for Origins Baby Shower™ wash (available before October 1999)
Package for Origins Short Cake™ bar (available before October 1999) Package for Origins Smooth Baby™ oil (available before October 1999)

Examiner	Date	
Signature	 Considered	

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## **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 11

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10/017,180
December 7, 2001
B njamin Wiegand
1616
George M. Konata
JBP-571
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				U.S. PATENT DOCUMENTS		
Examiner Initials	Cite	U.S. Patent Doo	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
	140.	4,013,417		Italo Raffaele	03-22-1977	
	<del>                                     </del>	4,375,421		Fred K. Rubin et al.	03-01-1983	
		4,556,557		Dietrich Reichert	12-03-1985	
		4,657,690		Jean F.Grollier et al.	04-14-1987	
		4,664,835		Jean F.Grollier et al.	05-12-1987	
	<del> </del>	4.668.513		Dietrtich Riechert	05-26-1987	
	-	4,670,264		Craig B. Warren et al.	06-02-1987	
		4,671,959		Craig B.Warren et al.	06-09-1987	·
	<del> </del>	4,877,322		Robert V. Hill	10-31-1989	
		5,009,813		Taichi Watanabe et al.	04-23-1991	
	+	5,063,062		Douglas Greenspan et al.	11-04-1991	
	<b> </b>	5,079,227		Rose-Marie Handjani et al. (Equivalent to EP 347306)	01-07-1992	

		Foreign	Patent Docui		Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant	<b>⊤</b> 6
Examiner Initials	Cite No.1	Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup>	Applicant of Cited Document	mm-dd-yyyy	figures appear			
	110.	AU	4383	39	Unilever PLC	05-29-1998		<u> </u>
		AU	57919	91	Unilever PLC	04-17-1986		L
		AU	65485	50	Eugene J. Van Scott	05-28-1992		
		AU	66498	87	Ruey J. Yu	10-05-1992	English Translation	
		AU	7012	32	Ruey J. Yu	12-07-1995	Claim 1 & Abstract	
	-	AU	7230	30	The Procter & Gamble Company	05-15-1996		
	$\vdash$		<del> </del>				,	

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	Date
Examiner	Considered
Signature	Considered the American Fraction of and in conformance

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document, s kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. s Applicant is to place a check mark here if English language Translation is attached.

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Application Number	10/017,180			
Filing Dat	D cember 7, 2001			
	1616			
	G org M. Konata			
Attorn y Docket Numb r	JBP-571			
First Nam d Inventor Group Art Unit Examin r Name	B njamin Wiegand 1616 G org M. Konata			

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	7			U.S. PATENT DOCUMENTS		
Examiner Initials	Cite	U.S. Patent Doc	ument  Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
_ <del></del>		5,124,078		Heinrich Baust	06-23-1992	
		5,275,761		Wolfgang Bergmann	01-04-1994	
		5,284,603		Stephen T. Repinec et al.	02-08-1994	
	╁	5,304,112		Theresia Mrklas et al.	04-19-1994	
		5,350,774		Cathy Palou	09-27-1994	
	ļ	5,403,263		Linda Rodgers	04-04-1995	
		5,403,587		Karen A. McCue et al.	04-04-1995	
	-	5,497,771		Michael N. Rosenheimer	03-12-1996	
<b> </b>	T	5,540,853		Toan Trinh et al.	07-30-1996	
	1	5,578,312		Vince M. Parrinello	11-26-1996	
		5,597,406		Stephen A. Fischer et al.	01-28-1997	
		5,597,407		Stephen A. Fischer et al.	01-28-1997	

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			FOI	REIGN PATENT DOCUMENTS			
		Foreign	Patent Document	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant	<b>⊤</b> 6
Examiner Initials	Cite	Office <sup>3</sup>	Number <sup>4</sup> KindCode <sup>5</sup>	Applicant of Cited Document	mm-dd-yyyy	figures appear	<u> </u>
	110.	AU	730992	Unilever PLC	05-29-1998		<u> </u>
	-	AU	60334/98	The Procter & Gamble Company	08-18-1998		<u> </u>
	<del> </del>	CA	2244887	The Procter & Gamble Company	08-14-1997	Abstract Only =WO97/28785	
	<del> </del>	CA	2247825	The Procter & Gamble Company	02-19-1997	Abstract Only =WO 97/28785	
	-	CA	2 127 348	Colgate-Palmolive Company	01-10-1995	Abstract	
	<del>                                     </del>	CA	2 127 657	Colgate-Palmolive Company	01-10-1995	Claim 1	
	+	CA	2 153 313	The Procter & Gamble	08-04-1994		

		Date	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/017,180
Filing Date	Decemb r 7, 2001
First Named Inventor	B njamin Wiegand
Group Art Unit	1616
Examin r Name	G orge M. Konata
Attorney Docket Number	JBP-571

		Sheet 3 of 11	TATENT POOLINENTS		
			U.S. PATENT DOCUMENTS		
		U.S. Patent Document	Name of Patentee or Applicant	Date of Publication	Pages, Columns, Lines,
Examiner Initials	Cite	Kind Co Number (if know	of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
	No.	5,607,980	David M. McAtee et al.	03-04-1997	
	<del>                                     </del>	5,614,553	H. De Wayne Ashmead et al.	03-25-1997	·
-	<del>                                     </del>	5,711,899	Rolf Kawa et al.	01-27-1998	<u> </u>
		5,716,919	Tomohiko Sano	02-10-1998	
	+	5,771,261	Michael Anbar	06-23-1998	
<u> </u>	+-	5,789,953	Mario F. Au et al.	08-04-1998	
	+-	5,792,739	Mengtao He et al.	08-11-1998	
	-	5,804,538	Karl Shiqing Wei et al.	09-08-1998	
	+	5,849,310	Toan Trinh et al.	12-15-1998	
·	+	5,855,884	Theoharides C. Theihandes	01-05-1999	
<u> </u>	+-	5,871,757	John B. Cloughley et al.	02-16-1999	
<u> </u>	+-	5,904,916	Alan R. Hirsch	05-18-1999	

				FORE	EIGN PATENT DOCUMENTS	I D to the Date of the	Pages, Columns, Lines,	T
Examiner Initials	Cite	Foreign Office <sup>3</sup>	Patent Documer  Number <sup>4</sup> Kir	ndCode <sup>5</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear	T <sup>6</sup>
	No.1	CA	2 155 766		The Procter & Gamble Company	08-18-1994		
		CA	2 167 174		Jeyes Group PLC	01-26-1995		
	<u> </u>	CA	2 216 964		Imperial Chemical Industries PLC	10-10-1996	Claim 1	<u> </u>
	<del>                                     </del>	DE	3445547	A1	Fischer, Wilfried	07-04-1985		<u> </u>
	<b> </b>	DE	199 52970	A1	Neuhaus, Peter	05-31-2001		
	-	ΕP	0 681 832	A2	Huls Aktiengesellschaft	11-15-1995		<u> </u>
	<b>†</b>	EP	978273		Shiseido Company Limited	02-09-2000	Claim 1	<u> </u>
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1	Signature	Considered	the state of the s

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 4 of 11

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	Application Number	10/017,180
	Filing Date	D cember 7, 2001
	First Named Inventor	Benjamin Wiegand
	Group Art Unit	1616
	Examiner Nam	G orge M. Konata
	Attorney Docket Numb r	JBP-571

05-19-1998

		U.S. Patent Document				Barar Ostumas Lines
Examiner Initials	Cite	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		5,910,477		Neil James Gordon	06-08-1999	,
		5,916,576		Jeffrey M.Domoff et al.	06-29-1999	
		5,922,331		Jack Mausner	07-13-1999	
		5,958,462		Linsey McLean	09-28-1999	
		5,965,502		Dieter Balzer	10-12-1999	
		5,980,925		Hunuman B. Jampani et al.	11-09-1999	
		6,134,460	Α	Britton Chance	10-17-2000	•
		6,245,769	B1	Argyrios G. Arvanitis et. Al.	06-12-2001	
		6,635,263	B2	Masahiro Tanida	10-21-2003	
		5,466,446		Werner K. Stiefel, et. al.	11-14-1995	

Pages, Columns, Lines, Date of Publication Foreign Patent Document where relevant of Cited Document Name of Patentee or passages or relevant mm-dd-yyyy Examine Applicant of Cited Document figures appear Initials Number<sup>4</sup> KindCode<sup>5</sup> Office<sup>3</sup> No.1 11-15-1995 **Abstract Only** ËΡ 0 681 832 Huls Aktiengesellschaft 05-29-1996 0 713 860 B1 EΡ **Rhodia Limited** 05-13-1998 0 841 061 ΕP Kao Corporation A2 03-08-2000 EP 0 983 990 Givaudan Roure (International) S.A. 02-08-1974 Claim 1 Touzet, Albert 2191878 FR FR 2730634 Khayat Hanna 08-23-1996

Karen G. Fried

FOREIGN PATENT DOCUMENTS

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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VALID COND CONTROL HEATINGS.
10/017,180
December 7, 2001
B njamin Wiegand
1616
G org M. Konata
JBP-571

**U.S. PATENT DOCUMENTS** U.S. Patent Document Date of Publication Pages, Columns, Lines, Name of Patentee or Applicant where relevant passages Kind Code of Cited Document Examiner of Cited Document or relevant figures appear Initials mm-dd-yyyy (if known) Number No.1

FOREIGN PATENT DOCUMENTS Date of Publication Pages, Columns, Lines, Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant T<sup>6</sup> mm-dd-yyyy Cite Examiner Applicant of Cited Document figures appear Initials Number⁴ KindCode<sup>6</sup> Office<sup>3</sup> Sohgo Insatsu Kohgei K.K. 12-21-1994 Abstract Only 1972802 JP 06-03-1994 2548074 Rhone-Poulenc Chimie JP 12-16-1991 w/English Abstract 2973368 Assu Seiyaku K.K. JP Earth Seiyaku KK 11-08-1991 w/English Abstract JP 3284619 4077416 Sogo Insatsu Kogei 03-11-1992 JР 09-02-1997 Pola Chem Ind. Inc. 9227400 Α JP 01-29-1999 Claims Only Pola Chem Ind. Inc. JP 11 023579 Α =WO 96/12468

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. s Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Numb r	10/017,180
Filing Date	December 7, 2001
First Named Inventor	Benjamin Wiegand
Group Art Unit	1616
Examiner Nam	Georg M. Konata
Attom y Docket Numb r	JBP-571

				U.S. PATENT DOCUMENTS		
	T	U.S. Patent Do	ocument		Date of Publication	Pages, Columns, Lines,
Examiner Initials	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
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Sheet 7 of 11

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Application Number	10/017,180
Filing Date	December 7, 2001
First Named Inventor	Benjamin Wiegand
Group Art Unit	1616
Examin r Nam	G orge M. Konata
Attorney Dock t Numb r	JBP-571

	U.S. PATENT DOCUMENTS					
Examiner	Cite	U.S. Patent Do	. Kind Code <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant figures appear
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Sheet 8 of 11

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Application Number	10/017,180
Filing Dat	D cemb r 7, 2001
First Named Inventor	B njamin Wiegand
Group Art Unit	1616
Examiner Name	G org M. Konata
Attorney Docket Number	JBP-571

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#### FOREIGN PATENT DOCUMENTS Date of Publication Pages, Columns, Lines, Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant Examiner mm-dd-yyyy Applicant of Cited Document figures appear Initials Number<sup>4</sup> KindCode5 Office<sup>3</sup> No.1 Claim 1 Only 02-06-1997 97/03646 Cussons (International) Limited WO 97/28785 A1 The Procter & Gamble Company 08-14-1997

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Signature	Considered	

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Application Number	10/017,180
Filing Date	D cemb r 7, 2001
First Named Inventor	Benjamin Wiegand
Group Art Unit	1616
Examin r Name	G org M. Konata
Attorney Docket Number	JBP-571

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's	Cite No.1	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
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Application Number	10/017,180
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First Nam d Inventor	Benjamin Wiegand
Group Art Unit	1616
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Attorney Docket Number	JBP-571

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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
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Initials*	No.1	publisher, city and/or country where published	L
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	-	Night Music 2 Classical Favourites for Relaxing and Dreaming - (1989) CD attached	

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Application Number	10/017,180
Filing Dat	D cemb r 7, 2001
First Nam d Inventor	Benjamin Wiegand
Group Art Unit	1616
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	,	XP002208807 & JP 11 019076 (Pola Chem Ind. Inc.) January 26, 1999 (1999-01-26) abstract	
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